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April 25, 2008

VIA FACSIMILE

The Honorable Mark D. Fox
United States Magistrate Judge
United States Courthouse
300 Quarropas Street, Room 434
White Plains, New York 10601

Re: **Esbin & Alter LLC v. Paul Zappier and Advanced Trade Settlement, LLC**
08 Civ. 0313

Dear Judge Fox:

As you know, our firm represents the defendants in the above-referenced action. We recently received notice of your honor's intent to have a conference on May 8, 2008, at 9:30 am.

The parties have mutually executed a Stipulation and Order with the goal of prioritizing the review of the software programs at issue during the discovery process. Based on the parties' agreement, depositions in this matter will not commence until May 15, 2008, when the experts would have had sufficient time to analyze the programs. This Stipulation and Order was submitted to Judge Robinson for approval on April 17, 2008 and is enclosed herewith.

In light of this Stipulation, the parties jointly propose that the conference be adjourned to May 15, 2008 at 9:30 am. We respectfully submit this letter in accordance with the suggestion of your honor's courtroom deputy Ed Modugno. This letter is submitted via facsimile, notwithstanding your honor's individual rules, with the express permission of Mr. Modugno. Please feel free to contact me with any questions you might have.

Sincerely,

THE BOYD LAW GROUP, PLLC

Patrick J. Boyd (PB 0921)

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MARK D. FOX
United States Magistrate Judge
Southern District of New York

So O'Leary

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Application

4/25/08

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Files